

In the Senate of the United States,

October 21 (legislative day, October 2), 1998.

Resolved, That the Senate agree to the amendment of the House of Representatives to the bill (S. 2117) entitled “An Act to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes” with the following

SENATE AMENDMENTS TO HOUSE AMENDMENT:

1 **(1)**Page 20, of the House engrossed amendment, strike
2 out all after line 3 over to and including line 24 on page
3 23 and insert:

4 ***TITLE IV—SLY PARK DAM AND***
5 ***RESERVOIR, CALIFORNIA***

6 ***SEC. 401. SHORT TITLE.***

7 *This title may be cited as the “Sly Park Unit Convey-*
8 *ance Act”.*

9 ***SEC. 402. DEFINITIONS.***

10 *For purposes of this title:*

1 (1) *The term “District” means the El Dorado Ir-*
 2 *rigation District, a political subdivision of the State*
 3 *of California that has its principal place of business*
 4 *in the city of Placerville, El Dorado County, Califor-*
 5 *nia.*

6 (2) *The term “Secretary” means the Secretary of*
 7 *the Interior.*

8 (3) *The term “Project” means the Sly Park Dam*
 9 *and Reservoir, Camp Creek Diversion Dam and Tun-*
 10 *nel, and conduits and canals held by the United*
 11 *States pursuant to or related to the authorization in*
 12 *the Act entitled “An Act to authorize the American*
 13 *River Basin Development, California, for irrigation*
 14 *and reclamation, and for other purposes”, approved*
 15 *October 14, 1949 (63 Stat. 852 chapter 690), which*
 16 *are associated with the Sly Park Dam and Reservoir.*

17 **SEC. 403. CONVEYANCE OF PROJECT.**

18 (a) *IN GENERAL.*—*In consideration of the District ac-*
 19 *cepting the obligations of the Federal Government for the*
 20 *Project and subject to the payment by the District of the*
 21 *net present value of the remaining repayment obligations*
 22 *under contract numbered 14–06–200–949IR2, the Secretary*
 23 *is authorized to convey all right, title and interest in and*
 24 *to the Project to the District. Such transfer shall be subject*
 25 *to a reversion in favor of the United States if the remaining*

1 *repayment obligations to the United States, referred to in*
 2 *section 405(a), are not completed. The net present value*
 3 *shall be determined under Office of Management and Budg-*
 4 *et Circular A-129 (in effect on the date of enactment of*
 5 *this title).*

6 (b) *CONVEYANCE.—The Secretary shall complete the*
 7 *conveyance as expeditiously as possible. If the conveyance*
 8 *has not occurred within one year from the date of enactment*
 9 *of this title, the Secretary shall submit a report to the Com-*
 10 *mittee on Energy and Natural Resources of the United*
 11 *States Senate and the Committee on Resources of the United*
 12 *States House of Representatives on the status of the trans-*
 13 *fer, any obstacles to completion of the transfer, and the an-*
 14 *ticipated date for such transfer. If the Project is conveyed*
 15 *within two years from the date of enactment of this title,*
 16 *the costs of administrative action, including, but not lim-*
 17 *ited to, any environmental compliance, shall be borne equal-*
 18 *ly by the Secretary and the District. If the Project is not*
 19 *conveyed within such two year period, the Secretary shall*
 20 *assume all costs.*

21 **SEC. 404. RELATIONSHIP TO EXISTING OPERATIONS.**

22 (a) *IN GENERAL.—Nothing in this title shall be con-*
 23 *strued as significantly expanding or otherwise changing the*
 24 *use or operation of the Project from its current use and*
 25 *operation.*

1 (b) *FUTURE ALTERATIONS.*—If the District alters the
 2 operations or uses of the Project it shall comply with all
 3 applicable laws or regulations governing such changes at
 4 that time (subject to section 405).

5 **SEC. 405. RELATIONSHIP TO CERTAIN CONTRACT OBLIGA-**
 6 **TIONS.**

7 (a) *PAYMENT OBLIGATIONS NOT AFFECTED.*—The con-
 8 veyance of the Project under this title does not affect the
 9 payment obligations of the District under the contract be-
 10 tween the District and the Secretary numbered 14-06-200-
 11 7734, as amended by contracts numbered 14-06-200-
 12 4282A and 14-06-200-8536A. At any time, the District
 13 may elect to prepay its remaining repayment obligations
 14 under contract numbered 14-06-200-7734, as amended by
 15 contracts numbered 14-06-200-4282A and 14-06-200-
 16 8536A, by tendering to the Secretary the net present value,
 17 at that time, of the remaining repayment obligation as de-
 18 termined by Office of Management and Budget Circular A-
 19 129 (in effect on the date of enactment of this title). Effec-
 20 tive on the date of such tender, or on the date of completion
 21 of all repayment obligations, whichever occurs first, any re-
 22 versionary interest of the United States in and to the
 23 Project is extinguished.

24 (b) *PAYMENT OBLIGATIONS EXTINGUISHED.*—Provi-
 25 sion of consideration by the District in accordance with sec-

tion 403(b) shall extinguish all payment obligations under contract numbered 14–06–200–949IR2 between the District and the Secretary.

SEC. 406. RELATIONSHIP TO OTHER LAWS.

(a) RECLAMATION LAWS.—Except as provided in subsection (b), upon enactment of this title the Reclamation Act of 1902 (82 Stat. 388) and all Acts amendatory thereof or supplemental thereto shall not apply to the Project.

(b) PAYMENTS INTO THE CENTRAL VALLEY PROJECT RESTORATION FUND.—The El Dorado Irrigation District shall continue to make payments into the Central Valley Project Restoration Fund for 31 years after the date of the enactment of this title. The District’s obligation shall be calculated in the same manner as Central Valley Project water contractors.

SEC. 407. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the Project under this title, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the conveyed property.

Page 37, after line 10 of the House engrossed amendment, insert:

1 **TITLE VIII—CARLSBAD IRRIGA-**
 2 **TION PROJECT TITLE CON-**
 3 **VEYANCE**

4 **SEC. 801. SHORT TITLE.**

5 *This title may be cited as the “Carlsbad Irrigation*
 6 *Project Acquired Land Transfer Act”.*

7 **SEC. 802. CONVEYANCE.**

8 *(a) LANDS AND FACILITIES.—*

9 *(1) IN GENERAL.—Except as provided in para-*
 10 *graph (2), and subject to subsection (c), the Secretary*
 11 *of the Interior (in this title referred to as the “Sec-*
 12 *retary”) may convey to the Carlsbad Irrigation Dis-*
 13 *trict (a quasi-municipal corporation formed under*
 14 *the laws of the State of New Mexico and in this title*
 15 *referred to as the “District”), all right, title, and in-*
 16 *terest of the United States in and to the lands de-*
 17 *scribed in subsection (b) (in this title referred to as*
 18 *the “acquired lands”) and all interests the United*
 19 *States holds in the irrigation and drainage system of*
 20 *the Carlsbad Project and all related lands including*
 21 *ditch rider houses, maintenance shop and buildings,*
 22 *and Pecos River Flume.*

23 *(2) LIMITATION.—*

24 *(A) RETAINED SURFACE RIGHTS.—The Sec-*
 25 *retary shall retain title to the surface estate (but*

1 *not the mineral estate) of such acquired lands*
 2 *which are located under the footprint of Brantley*
 3 *and Avalon dams or any other project dam or*
 4 *reservoir division structure.*

5 *(B) STORAGE AND FLOW EASEMENT.—The*
 6 *Secretary shall retain storage and flow easements*
 7 *for any tracts located under the maximum spill-*
 8 *way elevations of Avalon and Brantley Res-*
 9 *ervoirs.*

10 *(b) ACQUIRED LANDS DESCRIBED.—The lands re-*
 11 *ferred to in subsection (a) are those lands (including the*
 12 *surface and mineral estate) in Eddy County, New Mexico,*
 13 *described as the acquired lands and in section (7) of the*
 14 *“Status of Lands and Title Report: Carlsbad Project” as*
 15 *reported by the Bureau of Reclamation in 1978.*

16 *(c) TERMS AND CONDITIONS OF CONVEYANCE.—Any*
 17 *conveyance of the acquired lands under this title shall be*
 18 *subject to the following terms and conditions:*

19 *(1) MANAGEMENT AND USE, GENERALLY.—The*
 20 *conveyed lands shall continue to be managed and used*
 21 *by the District for the purposes for which the Carls-*
 22 *bad Project was authorized, based on historic oper-*
 23 *ations and consistent with the management of other*
 24 *adjacent project lands.*

(2) *ASSUMED RIGHTS AND OBLIGATIONS.*—*Except as provided in paragraph (3), the District shall assume all rights and obligations of the United States under—*

(A) the agreement dated July 28, 1994, between the United States and the Director, New Mexico Department of Game and Fish (Document No. 2–LM–40–00640), relating to management of certain lands near Brantley Reservoir for fish and wildlife purposes; and

(B) the agreement dated March 9, 1977, between the United States and the New Mexico Department of Energy, Minerals, and Natural Resources (Contract No. 7–07–57–X0888) for the management and operation of Brantley Lake State Park.

(3) *EXCEPTIONS.*—*In relation to agreements referred to in paragraph (2)—*

(A) the District shall not be obligated for any financial support agreed to by the Secretary, or the Secretary’s designee, in either agreement; and

(B) the District shall not be entitled to any receipts for revenues generated as a result of either agreement.

1 (d) *COMPLETION OF CONVEYANCE.*—*If the Secretary*
 2 *does not complete the conveyance within 180 days from the*
 3 *date of enactment of this title, the Secretary shall submit*
 4 *a report to the Congress within 30 days after that period*
 5 *that includes a detailed explanation of problems that have*
 6 *been encountered in completing the conveyance, and specific*
 7 *steps that the Secretary has taken or will take to complete*
 8 *the conveyance.*

9 **SEC. 803. LEASE MANAGEMENT AND PAST REVENUES COL-**
 10 **LECTED FROM THE ACQUIRED LANDS.**

11 (a) *IDENTIFICATION AND NOTIFICATION OF LEASE-*
 12 *HOLDERS.*—*Within 120 days after the date of enactment*
 13 *of this title, the Secretary of the Interior shall—*

14 (1) *provide to the District a written identifica-*
 15 *tion of all mineral and grazing leases in effect on the*
 16 *acquired lands on the date of enactment of this title;*
 17 *and*

18 (2) *notify all leaseholders of the conveyance au-*
 19 *thorized by this title.*

20 (b) *MANAGEMENT OF MINERAL AND GRAZING LEASES,*
 21 *LICENSES, AND PERMITS.*—*The District shall assume all*
 22 *rights and obligations of the United States for all mineral*
 23 *and grazing leases, licenses, and permits existing on the ac-*
 24 *quired lands conveyed under section 802, and shall be enti-*
 25 *tled to any receipts from such leases, licenses, and permits*

1 *accruing after the date of conveyance. All such receipts shall*
 2 *be used for purposes for which the Project was authorized*
 3 *and for financing the portion of operations, maintenance,*
 4 *and replacement of the Summer Dam which, prior to con-*
 5 *veyance, was the responsibility of the Bureau of Reclama-*
 6 *tion, with the exception of major maintenance programs in*
 7 *progress prior to conveyance which shall be funded through*
 8 *the cost share formulas in place at the time of conveyance.*
 9 *The District shall continue to adhere to the current Bureau*
 10 *of Reclamation mineral leasing stipulations for the Carls-*
 11 *bad Project.*

12 (c) *AVAILABILITY OF AMOUNTS PAID INTO RECLAMA-*
 13 *TION FUND.—*

14 (1) *EXISTING RECEIPTS.—Receipts in the rec-*
 15 *lamation fund on the date of enactment of this title*
 16 *which exist as construction credits to the Carlsbad*
 17 *Project under the terms of the Mineral Leasing Act*
 18 *for Acquired Lands (30 U.S.C. 351–359) shall be de-*
 19 *posited in the General Treasury and credited to defi-*
 20 *cit reduction or retirement of the Federal debt.*

21 (2) *RECEIPTS AFTER ENACTMENT.—Of the re-*
 22 *ceipts from mineral and grazing leases, licenses, and*
 23 *permits on acquired lands to be conveyed under sec-*
 24 *tion 802, that are received by the United States after*

1 *the date of enactment and before the date of convey-*
2 *ance—*

3 *(A) not to exceed \$200,000 shall be available*
4 *to the Secretary for the actual costs of imple-*
5 *menting this title with any additional costs*
6 *shared equally between the Secretary and the*
7 *District; and*

8 *(B) the remainder shall be deposited into*
9 *the General Treasury of the United States and*
10 *credited to deficit reduction or retirement of the*
11 *Federal debt.*

12 **SEC. 804. VOLUNTARY WATER CONSERVATION PRACTICES.**

13 *Nothing in this title shall be construed to limit the*
14 *ability of the District to voluntarily implement water con-*
15 *servation practices.*

16 **SEC. 805. LIABILITY.**

17 *Effective on the date of conveyance of any lands and*
18 *facilities authorized by this title, the United States shall*
19 *not be held liable by any court for damages of any kind*
20 *arising out of any act, omission, or occurrence relating to*
21 *the conveyed property, except for damages caused by acts*
22 *of negligence committed by the United States or by its em-*
23 *ployees, agents, or contractors, prior to conveyance. Nothing*
24 *in this section shall be considered to increase the liability*
25 *of the United States beyond that provided under chapter*

1 171 of title 28, United States Code, popularly known as
2 the Federal Tort Claims Act.

3 **SEC. 806. FUTURE BENEFITS.**

4 *Effective upon transfer, the lands and facilities trans-*
5 *ferred pursuant to this title shall not be entitled to receive*
6 *any further Reclamation benefits pursuant to the Reclama-*
7 *tion Act of June 17, 1902, and Acts supplementary thereof*
8 *or amendatory thereto attributable to their status as part*
9 *of a Reclamation Project.*

10 **TITLE IX—THOMAS COLE**
11 **NATIONAL HISTORIC SITE**

12 **SEC. 901. SHORT TITLE.**

13 *This title may be cited as the “Thomas Cole National*
14 *Historic Site Act”.*

15 **SEC. 902. DEFINITIONS.**

16 *As used in this title:*

17 (1) *The term “historic site” means the Thomas*
18 *Cole National Historic Site established by section 904*
19 *of this title.*

20 (2) *The term “Hudson River artists” means art-*
21 *ists who were associated with the Hudson River school*
22 *of landscape painting.*

23 (3) *The term “plan” means the general manage-*
24 *ment plan developed pursuant to section 906(d).*

1 (4) *The term “Secretary” means the Secretary of*
 2 *the Interior.*

3 (5) *The term “Society” means the Greene County*
 4 *Historical Society of Greene County, New York, which*
 5 *owns the Thomas Cole home, studio, and other prop-*
 6 *erty comprising the historic site.*

7 **SEC. 903. FINDINGS AND PURPOSES.**

8 (a) *FINDINGS.—Congress finds the following:*

9 (1) *The Hudson River school of landscape paint-*
 10 *ing was inspired by Thomas Cole and was character-*
 11 *ized by a group of 19th century landscape artists who*
 12 *recorded and celebrated the landscape and wilderness*
 13 *of America, particularly in the Hudson River Valley*
 14 *region in the State of New York.*

15 (2) *Thomas Cole is recognized as America’s most*
 16 *prominent landscape and allegorical painter of the*
 17 *mid-19th century.*

18 (3) *Located in Greene County, New York, the*
 19 *Thomas Cole House, also known as Thomas Cole’s*
 20 *Cedar Grove, is listed on the National Register of*
 21 *Historic Places and has been designated as a Na-*
 22 *tional Historic Landmark.*

23 (4) *Within a 15 mile radius of the Thomas Cole*
 24 *House, an area that forms a key part of the rich cul-*
 25 *tural and natural heritage of the Hudson River Val-*

1 *ley region, significant landscapes and scenes painted*
 2 *by Thomas Cole and other Hudson River artists, such*
 3 *as Frederic Church, survive intact.*

4 *(5) The State of New York has established the*
 5 *Hudson River Valley Greenway to promote the preser-*
 6 *vation, public use, and enjoyment of the natural and*
 7 *cultural resources of the Hudson River Valley region.*

8 *(6) Establishment of the Thomas Cole National*
 9 *Historic Site will provide opportunities for the illus-*
 10 *tration and interpretation of cultural themes of the*
 11 *heritage of the United States and unique opportuni-*
 12 *ties for education, public use, and enjoyment.*

13 *(b) PURPOSES.—The purposes of this title are—*

14 *(1) to preserve and interpret the home and stu-*
 15 *dio of Thomas Cole for the benefit, inspiration, and*
 16 *education of the people of the United States;*

17 *(2) to help maintain the integrity of the setting*
 18 *in the Hudson River Valley region that inspired ar-*
 19 *tistic expression;*

20 *(3) to coordinate the interpretive, preservation,*
 21 *and recreational efforts of Federal, State, and other*
 22 *entities in the Hudson Valley region in order to en-*
 23 *hance opportunities for education, public use, and en-*
 24 *joyment; and*

1 (4) *to broaden understanding of the Hudson*
 2 *River Valley region and its role in American history*
 3 *and culture.*

4 **SEC. 904. ESTABLISHMENT OF THOMAS COLE NATIONAL**
 5 **HISTORIC SITE.**

6 (a) *ESTABLISHMENT.*—*There is established, as an af-*
 7 *filiated area of the National Park System, the Thomas Cole*
 8 *National Historic Site in the State of New York.*

9 (b) *DESCRIPTION.*—*The historic site shall consist of the*
 10 *home and studio of Thomas Cole, comprising approxi-*
 11 *mately 3.4 acres, located at 218 Spring Street, in the village*
 12 *of Catskill, New York, as generally depicted on the boundary*
 13 *map numbered TCH/80002, and dated March 1992.*

14 **SEC. 905. RETENTION OF OWNERSHIP AND MANAGEMENT**
 15 **OF HISTORIC SITE BY GREENE COUNTY HIS-**
 16 **TORICAL SOCIETY.**

17 *The Greene County Historical Society of Greene Coun-*
 18 *ty, New York, shall continue to own, manage, and operate*
 19 *the historic site.*

20 **SEC. 906. ADMINISTRATION OF HISTORIC SITE.**

21 (a) *APPLICABILITY OF NATIONAL PARK SYSTEM*
 22 *LAWS.*—*The historic site shall be administered by the Soci-*
 23 *ety in a manner consistent with this title and all laws gen-*
 24 *erally applicable to units of the National Park System, in-*
 25 *cluding the Act of August 25, 1916 (16 U.S.C. 1 et seq.;*

1 *commonly known as the National Park Service Organic*
 2 *Act), and the Act of August 21, 1935 (16 U.S.C. 461 et*
 3 *seq.; commonly known as the Historic Sites, Buildings, and*
 4 *Antiquities Act).*

5 (b) *COOPERATIVE AGREEMENTS.—*

6 (1) *ASSISTANCE TO SOCIETY.—The Secretary*
 7 *may enter into cooperative agreements with the Soci-*
 8 *ety to preserve the Thomas Cole House and other*
 9 *structures in the historic site and to assist with edu-*
 10 *cation programs and research and interpretation of*
 11 *the Thomas Cole House and associated landscapes.*

12 (2) *OTHER ASSISTANCE.—To further the pur-*
 13 *poses of this title, the Secretary may enter into coop-*
 14 *erative agreements with the State of New York, the*
 15 *Society, the Thomas Cole Foundation, and other pub-*
 16 *lic and private entities to facilitate public under-*
 17 *standing and enjoyment of the lives and works of the*
 18 *Hudson River artists through the provision of assist-*
 19 *ance to develop, present, and fund art exhibits, resi-*
 20 *dent artist programs, and other appropriate activities*
 21 *related to the preservation, interpretation, and use of*
 22 *the historic site.*

23 (c) *ARTIFACTS AND PROPERTY.—The Secretary may*
 24 *acquire personal property associated with, and appropriate*
 25 *for, the interpretation of the historic site.*

1 (d) *GENERAL MANAGEMENT PLAN.*—Within two com-
2 plete fiscal years after the date of the enactment of this title,
3 the Secretary shall develop a general management plan for
4 the historic site with the cooperation of the Society. Upon
5 the completion of the plan, the Secretary shall provide a
6 copy of the plan to the Committee on Energy and Natural
7 Resources of the Senate and the Committee on Resources
8 of the House of Representatives. The plan shall include rec-
9 ommendations for regional wayside exhibits, to be carried
10 out through cooperative agreements with the State of New
11 York and other public and private entitles. The plan shall
12 be prepared in accordance with section 12(b) of Public Law
13 91–383 (16 U.S.C. 1a–1 et seq.; commonly known as the
14 National Park System General Authorities Act).

15 **SEC. 907. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums as
17 are necessary to carry out this title.

1 **TITLE X—REAUTHORIZATION OF**
 2 **HISTORIC PRESERVATION**
 3 **FUND AND ADVISORY COUN-**
 4 **CIL ON HISTORIC PRESERVA-**
 5 **TION**

6 **SEC. 1001. REAUTHORIZATION OF HISTORIC PRESERVA-**
 7 **TION FUND.**

8 *The second sentence of section 108 of the National His-*
 9 *toric Preservation Act (16 U.S.C. 470h) is amended by*
 10 *striking “1997” and inserting “2004”.*

11 **SEC. 1002. REAUTHORIZATION OF ADVISORY COUNCIL ON**
 12 **HISTORIC PRESERVATION.**

13 *The last sentence of section 212(a) (16 U.S.C. 470t(a))*
 14 *is amended by striking “2000” and inserting in lieu thereof,*
 15 *“2004”.*

16 **TITLE XI—EL CAMINO REAL DE**
 17 **TIERRA ADENTRO NATIONAL**
 18 **HISTORIC TRAIL**

19 **SEC. 1101. SHORT TITLE.**

20 *This title may be cited as the “El Camino Real de*
 21 *Tierra Adentro National Historic Trail Act”.*

22 **SEC. 1102. FINDINGS.**

23 *Congress finds that—*

24 *(1) El Camino Real de Tierra Adentro (the*
 25 *Royal Road of the Interior), served as the primary*

1 *route between the colonial Spanish capital of Mexico*
 2 *City and the Spanish provincial capitals at San*
 3 *Juan de Los Caballeros (1598–1600), San Gabriel*
 4 *(1600–1609) and Santa Fe (1610–1821);*

5 *(2) the portion of El Camino Real in what is*
 6 *now the United States extended between El Paso,*
 7 *Texas, and present San Juan Pueblo, New Mexico, a*
 8 *distance of 404 miles;*

9 *(3) El Camino Real is a symbol of the cultural*
 10 *interaction between nations and ethnic groups and of*
 11 *the commercial exchange that made possible the devel-*
 12 *opment and growth of the borderland;*

13 *(4) American Indian groups, especially the*
 14 *Pueblo Indians of the Rio Grande, developed trails for*
 15 *trade long before Europeans arrived;*

16 *(5) in 1598, Juan de Oñate led a Spanish mili-*
 17 *tary expedition along those trails to establish the*
 18 *northern portion of El Camino Real;*

19 *(6) during the Mexican National Period and*
 20 *part of the United States Territorial Period, El Ca-*
 21 *mino Real facilitated the emigration of people to New*
 22 *Mexico and other areas that were to become part of*
 23 *the United States;*

24 *(7) the exploration, conquest, colonization, settle-*
 25 *ment, religious conversion, and military occupation*

1 of a large area of the borderland was made possible
 2 by *El Camino Real*, the historical period of which ex-
 3 tended from 1598 to 1882;

4 (8) *American Indians, European emigrants,*
 5 *miners, ranchers, soldiers, and missionaries used El*
 6 *Camino Real during the historic development of the*
 7 *borderland, promoting cultural interaction among*
 8 *Spaniards, other Europeans, American Indians,*
 9 *Mexicans, and Americans; and*

10 (9) *El Camino Real fostered the spread of Ca-*
 11 *tholicism, mining, an extensive network of commerce,*
 12 *and ethnic and cultural traditions including music,*
 13 *folklore, medicine, foods, architecture, language, place*
 14 *names, irrigation systems, and Spanish law.*

15 **SEC. 1103. AUTHORIZATION AND ADMINISTRATION.**

16 Section 5(a) of the *National Trails System Act* (16
 17 *U.S.C. 1244(a))* is amended—

18 (1) *by designating the paragraphs relating to the*
 19 *California National Historic Trail, the Pony Express*
 20 *National Historic Trail, and the Selma to Montgom-*
 21 *ery National Historic Trail as paragraphs (18), (19),*
 22 *and (20), respectively; and*

23 (2) *by adding at the end the following:*

24 “(21) *EL CAMINO REAL DE TIERRA ADENTRO.—*

1 “(A) *IN GENERAL.*—*El Camino Real de*
2 *Tierra Adentro (the Royal Road of the Interior)*
3 *National Historic Trail, a 404 mile long trail*
4 *from the Rio Grande near El Paso, Texas to San*
5 *Juan Pueblo, New Mexico, as generally depicted*
6 *on the maps entitled ‘United States Route: El*
7 *Camino Real de Tierra Adentro’, contained in*
8 *the report prepared pursuant to subsection (b)*
9 *entitled ‘National Historic Trail Feasibility*
10 *Study and Environmental Assessment: El Ca-*
11 *mino Real de Tierra Adentro, Texas-New Mex-*
12 *ico’, dated March 1997.*

13 “(B) *MAP.*—*A map generally depicting the*
14 *trail shall be on file and available for public in-*
15 *spection in the Office of the National Park Serv-*
16 *ice, Department of the Interior.*

17 “(C) *ADMINISTRATION.*—*The trail shall be*
18 *administered by the Secretary of the Interior.*

19 “(D) *LAND ACQUISITION.*—*No land or in-*
20 *terest in land outside the exterior boundaries of*
21 *any federally administered area may be acquired*
22 *by the United States for the trail except with the*
23 *consent of the owner of the land or interest in*
24 *land.*

1 “(E) VOLUNTEER GROUPS; CONSULTA-
2 TION.—*The Secretary of the Interior shall—*

3 “(i) *encourage volunteer trail groups to*
4 *participate in the development and mainte-*
5 *nance of the trail; and*

6 “(ii) *consult with affected Federal,*
7 *State, local governmental, and tribal agen-*
8 *cies in the administration of the trail.*

9 “(F) COORDINATION OF ACTIVITIES.—*The*
10 *Secretary of the Interior may coordinate with*
11 *United States and Mexican public and non-gov-*
12 *ernmental organizations, academic institutions,*
13 *and, in consultation with the Secretary of State,*
14 *the government of Mexico and its political sub-*
15 *divisions, for the purpose of exchanging trail in-*
16 *formation and research, fostering trail preserva-*
17 *tion and educational programs, providing tech-*
18 *nical assistance, and working to establish an*
19 *international historic trail with complementary*
20 *preservation and education programs in each*
21 *nation.”.*

1 ***TITLE XII—EL CAMINO REAL DE***
 2 ***LOS TEJAS NATIONAL HIS-***
 3 ***TORIC TRAIL***

4 ***SEC. 1201. SHORT TITLE.***

5 *This title may be cited as the “El Camino Real de*
 6 *los Tejas National Historic Trail Act of 1998”.*

7 ***SEC. 1202. FINDINGS.***

8 *Congress finds that—*

9 *(1) El Camino Real de los Tejas (the Royal*
 10 *Road to the Tejas), served as the primary route be-*
 11 *tween the Spanish viceregal capital of Mexico City*
 12 *and the Spanish provincial capital of Tejas at Los*
 13 *Adaes (1721–1773) and San Antonio (1773–1821);*

14 *(2) the seventeenth, eighteenth, and early nine-*
 15 *teenth century rivalries among the European colonial*
 16 *powers of Spain, France, and England and after*
 17 *their independence, Mexico and the United States, for*
 18 *dominion over lands fronting the Gulf of Mexico, were*
 19 *played out along the evolving travel routes in this im-*
 20 *mense area;*

21 *(3) the future of several American Indian na-*
 22 *tions, whose prehistoric trails were later used by the*
 23 *Spaniards for exploration and colonization, was tied*
 24 *to these larger forces and events and the nations were*

1 *fully involved in and affected by the complex cultural*
 2 *interactions that ensued;*

3 *(4) the Old San Antonio Road was a series of*
 4 *routes established in the early 19th century sharing*
 5 *the same corridor and some routes of El Camino*
 6 *Real, and carried American immigrants from the*
 7 *east, contributing to the formation of the Republic of*
 8 *Texas, and its annexation to the United States;*

9 *(5) the exploration, conquest, colonization, settle-*
 10 *ment, migration, military occupation, religious con-*
 11 *version, and cultural exchange that occurred in a*
 12 *large area of the borderland was facilitated by El Ca-*
 13 *mino Real de los Tejas as it carried Spanish and*
 14 *Mexican influences northeastward, and by its succes-*
 15 *sor, the Old San Antonio Road, which carried Amer-*
 16 *ican influence westward, during a historic period*
 17 *which extended from 1689 to 1850; and*

18 *(6) the portions of El Camino Real de los Tejas*
 19 *in what is now the United States extended from the*
 20 *Rio Grande near Eagle Pass and Laredo, Texas and*
 21 *involved routes that changed through time, that total*
 22 *almost 2,600 miles in combined length, generally*
 23 *coursing northeasterly through San Antonio, Bastrop,*
 24 *Nacogdoches, and San Augustine in Texas to*

1 *Natchitoches, Louisiana, a general corridor distance*
 2 *of 550 miles.*

3 **SEC. 1203. AUTHORIZATION AND ADMINISTRATION.**

4 *Section 5(a) of the National Trails System Act (16*
 5 *U.S.C. 1244(a) is amended—*

6 *(1) by designating the paragraphs relating to the*
 7 *California National Historic Trail, the Pony Express*
 8 *National Historic Trail, and the Selma to Montgom-*
 9 *ery National Historic Trail as paragraphs (18), (19),*
 10 *and (20), respectively; and*

11 *(2) by adding at the end the following:*

12 *“(22) EL CAMINO REAL DE LOS TEJAS.—*

13 *“(A) IN GENERAL.—El Camino Real de los*
 14 *Tejas (The Royal Road to the Tejas) National*
 15 *Historic Trail, a combination of routes totaling*
 16 *2,580 miles in length from the Rio Grande near*
 17 *Eagle Pass and Laredo, Texas to Natchitoches,*
 18 *Louisiana, and including the Old San Antonio*
 19 *Road, as generally depicted on the maps entitled*
 20 *‘El Camino Real de los Tejas’, contained in the*
 21 *report prepared pursuant to subsection (b) enti-*
 22 *tled ‘National Historic Trail Feasibility Study*
 23 *and Environmental Assessment: El Camino Real*
 24 *de los Tejas, Texas-Louisiana’, dated July 1998.*
 25 *A map generally depicting the trail shall be on*

1 *file and available for public inspection in the Of-*
2 *fice of the National Park Service, Department of*
3 *the Interior. The trail shall be administered by*
4 *the Secretary of the Interior. No land or interest*
5 *in land outside the exterior boundaries of any*
6 *federally administered area may be acquired by*
7 *the United States for the trail except with the*
8 *consent of the owner of the land or interest in*
9 *land.*

10 “(B) COORDINATION OF ACTIVITIES.—The
11 Secretary of the Interior may coordinate with
12 United States and Mexican public and non-gov-
13 ernmental organizations, academic institutions,
14 and, in consultation with the Secretary of State,
15 the government of Mexico and its political sub-
16 divisions, for the purpose of exchanging trail in-
17 formation and research, fostering trail preserva-
18 tion and educational programs, providing tech-
19 nical assistance, and working to establish an
20 international historic trail with complementary
21 preservation and education programs in each
22 nation.”.

1 **TITLE XIII—MINUTEMAN MIS-**
 2 **SILE NATIONAL HISTORIC**
 3 **SITE**

4 **SEC. 1301. SHORT TITLE.**

5 *This title may be cited as the “Minuteman Missile Na-*
 6 *tional Historic Site Establishment Act of 1998”.*

7 **SEC. 1302. FINDINGS AND PURPOSES.**

8 *(a) FINDINGS.—Congress finds that—*

9 *(1) the Minuteman II intercontinental ballistic*
 10 *missile (hereinafter referred to as “ICBM”) launch*
 11 *control facility and launch facility known as “Delta*
 12 *1” and “Delta 9”, respectively, have national signifi-*
 13 *cance as the best preserved examples of the oper-*
 14 *ational character of American history during the Cold*
 15 *War;*

16 *(2) the facilities are symbolic of the dedication*
 17 *and preparedness exhibited by the missileers of the*
 18 *Air Force stationed throughout the upper Great*
 19 *Plains in remote and forbidding locations during the*
 20 *Cold War;*

21 *(3) the facilities provide a unique opportunity to*
 22 *illustrate the history and significance of the Cold*
 23 *War, the arms race, and ICBM development; and*

1 (4) *the National Park System does not contain*
 2 *a unit that specifically commemorates or interprets*
 3 *the Cold War.*

4 (b) *PURPOSES.—The purposes of this title are—*

5 (1) *to preserve, protect, and interpret for the ben-*
 6 *efit and enjoyment of present and future generations*
 7 *the structures associated with the Minuteman II mis-*
 8 *sile defense system;*

9 (2) *to interpret the historical role of the Minute-*
 10 *man II missile defense system in the broader context*
 11 *of the Cold War and the role of the system as a key*
 12 *component of America’s strategic commitment to pre-*
 13 *serve world peace; and*

14 (3) *to complement the interpretive programs re-*
 15 *lating to the Minuteman II missile defense system of-*
 16 *fered by the South Dakota Air and Space Museum at*
 17 *Ellsworth Air Force Base.*

18 **SEC. 1303. MINUTEMAN MISSILE NATIONAL HISTORIC SITE.**

19 (a) *ESTABLISHMENT.—(1) The Minuteman Missile*
 20 *National Historic Site in the State of South Dakota (here-*
 21 *inafter referred to as the “historic site”)* *is hereby estab-*
 22 *lished as a unit of the National Park System. The historic*
 23 *site shall consist of lands and interests therein comprising*
 24 *the following Minuteman II ICBM launch control facilities,*
 25 *as generally depicted on the map referred to as “Minuteman*

1 *Missile National Historic Site*”, numbered 406/80,008 and
 2 dated September, 1998:

3 (A) *An area surrounding the Minuteman II*
 4 *ICBM launch control facility depicted as “Delta 1*
 5 *Launch Control Facility”.*

6 (B) *An area surrounding the Minuteman II*
 7 *ICBM launch control facility depicted as “Delta 9*
 8 *Launch Facility”.*

9 (2) *The map described in paragraph (1) shall be on*
 10 *file and available for public inspection in the appropriate*
 11 *offices of the National Park Service.*

12 (3) *The Secretary of the Interior (hereinafter referred*
 13 *to as the “Secretary”) is authorized to make minor adjust-*
 14 *ments to the boundary of the historic site.*

15 (b) *ADMINISTRATION OF HISTORIC SITE.—The Sec-*
 16 *retary shall administer the historic site in accordance with*
 17 *this title and laws generally applicable to units of the Na-*
 18 *tional Park System, including the Act of August 25, 1916*
 19 *(16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (16*
 20 *U.S.C. 461–467).*

21 (c) *COORDINATION WITH SECRETARY OF DEFENSE.—*
 22 *The Secretary shall consult with the Secretary of Defense*
 23 *and the Secretary of State, as appropriate, to ensure that*
 24 *administration of the historic site is in compliance with*
 25 *applicable treaties.*

1 (d) *COOPERATIVE AGREEMENTS.*—*The Secretary may*
2 *enter into cooperative agreements with appropriate public*
3 *and private entities and individuals in furtherance of the*
4 *purposes of this title.*

5 (e) *LAND ACQUISITION.*—(1) *Except as provided in*
6 *paragraph (2), the Secretary is authorized to acquire lands*
7 *and interests therein within the boundaries of the historic*
8 *site by donation, purchase with donated or appropriated*
9 *funds, exchange or transfer from another Federal agency:*
10 *Provided, That lands or interests therein owned by the State*
11 *of South Dakota may only be acquired by donation or ex-*
12 *change.*

13 (2) *The Secretary shall not acquire any lands pursu-*
14 *ant to this Act if the Secretary determines that such lands,*
15 *or any portion thereof, are contaminated with hazardous*
16 *substances (as defined in the Comprehensive Environmental*
17 *Response, Compensation and Liability Act (42 U.S.C.*
18 *9601)), unless all remedial action necessary to protect*
19 *human health and the environment has been taken pursu-*
20 *ant to such Act.*

21 (f) *GENERAL MANAGEMENT PLAN.*—(1) *Within three*
22 *years after the date funds are made available, the Secretary*
23 *shall prepare a general management plan for the historic*
24 *site.*

1 (2) *The plan shall include an evaluation of an appro-*
 2 *priate location for a visitor facility and administrative site*
 3 *within the areas depicted as “Support Facility Study*
 4 *Area—Alternative A” or “Support Facility Study Area—*
 5 *Alternative B” on the map referred to in subsection (a).*
 6 *Upon a determination by the Secretary of the appropriate*
 7 *location for such facilities, the boundaries of the historic*
 8 *site shall be modified to include the selected site.*

9 (3) *In developing the plan, the Secretary shall consider*
 10 *coordinating or consolidating appropriate administrative,*
 11 *management, and personnel functions with Badlands Na-*
 12 *tional Park.*

13 **SEC. 1304. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) *IN GENERAL.—There is authorized to be appro-*
 15 *priated such sums as may be necessary to carry out this*
 16 *title.*

17 (b) *AIR FORCE FUNDS.—The Secretary of the Air*
 18 *Force shall transfer to the Secretary any funds specifically*
 19 *appropriated to the Air Force in fiscal year 1999 for the*
 20 *maintenance, protection, or preservation of the facilities de-*
 21 *scribed in section 1303. Such funds shall be used by the*
 22 *Secretary for establishing, operating, and maintaining the*
 23 *historic site.*

24 (c) *LEGACY RESOURCE MANAGEMENT PROGRAM.—*
 25 *Nothing in this title affects the use of any funds available*

1 *for the Legacy Resource Management Program being car-*
 2 *ried out by the Air Force that, before the date of enactment*
 3 *of this title, were directed to be used for resource preserva-*
 4 *tion and treaty compliance.*

5 ***TITLE XIV—COMMERCIAL*** 6 ***FILMING***

7 ***SEC. 1401. FEE AUTHORITY AND REPEAL OF PROHIBITION.***

8 *(a) AUTHORITY.—*

9 *(1) IN GENERAL.—The Secretary of the Interior*
 10 *(in this section referred to as the “Secretary”) may*
 11 *permit, under terms and conditions considered nec-*
 12 *essary by the Secretary, the use of lands and facilities*
 13 *administered by the Secretary for the making of any*
 14 *motion picture, television production, soundtrack, or*
 15 *similar project, if the Secretary determines that such*
 16 *use is appropriate and will not impair the values and*
 17 *resources of the lands and facilities.*

18 *(2) FEES.—(A) Any permit under this section*
 19 *shall require the payment of fees to the Secretary in*
 20 *an amount determined to be appropriate by the Sec-*
 21 *retary sufficient to provide a fair return to the gov-*
 22 *ernment in accordance with subparagraph (B), except*
 23 *as provided in subparagraph (C). The amount of the*
 24 *fee shall be not less than the direct and indirect costs*
 25 *to the Government for processing the application for*

1 *the permit and the use of lands and facilities under*
2 *the permit, including any necessary costs of cleanup*
3 *and restoration, except as provided in subparagraph*
4 *(C).*

5 *(B) The authority of the Secretary to establish*
6 *fees under this paragraph shall include, but not be*
7 *limited to, authority to issue regulations that estab-*
8 *lish a schedule of rates for fees under this paragraph*
9 *based on such factors as—*

10 *(i) the number of people on site under a*
11 *permit;*

12 *(ii) the duration of activities under a per-*
13 *mit;*

14 *(iii) the conduct of activities under a per-*
15 *mit in areas designated by statute or regulations*
16 *as special use areas, including wilderness and*
17 *research natural areas; and*

18 *(iv) surface disturbances authorized under a*
19 *permit.*

20 *(C) The Secretary may, under the terms of the*
21 *regulations promulgated under paragraph (4), charge*
22 *a fee below the amount referred to in subparagraph*
23 *(A) if the activity for which the fee is charged pro-*
24 *vides clear educational or interpretive benefits for the*
25 *Department of the Interior.*

1 (3) *BONDING AND INSURANCE.*—*The Secretary*
 2 *may require a bond, insurance, or such other means*
 3 *as may be necessary to protect the interests of the*
 4 *United States in activities arising under such a per-*
 5 *mit.*

6 (4) *REGULATIONS.*—(A) *The Secretary shall*
 7 *issue regulations implementing this subsection by not*
 8 *later than 180 days after the date of the enactment*
 9 *of this title.*

10 (B) *Within 3 years after the date of enactment*
 11 *of this title, the Secretary shall review and, as appro-*
 12 *priate, revise regulations issued under this para-*
 13 *graph. After that time, the Secretary shall periodi-*
 14 *cally review the regulations and make necessary*
 15 *changes.*

16 (b) *COLLECTION OF FEES.*—*Fees shall be collected*
 17 *under subsection (a) whenever the proposed filming,*
 18 *videotaping, sound recording, or still photography involves*
 19 *product or service advertisements, or the use of models, ac-*
 20 *tors, sets, or props, or when such filming, videotaping,*
 21 *sound recording, or still photography could result in dam-*
 22 *age to resources or significant disruption of normal visitor*
 23 *uses. Filming, videotaping, sound recording or still photog-*
 24 *raphy, including bona fide newsreel or news television film*

1 *gathering, which does not involve the activities or impacts*
 2 *identified herein, shall be permitted without fee.*

3 (c) *EXISTING REGULATIONS.*—*The prohibition on fees*
 4 *set forth in paragraph (1) of section 5.1(b) of title 43, Code*
 5 *of Federal Regulations, shall cease to apply upon the effec-*
 6 *tive date of regulations under subsection (a). Nothing in*
 7 *this section shall be construed to affect the regulations set*
 8 *forth in part 5 of such title, other than paragraph (1) there-*
 9 *of.*

10 (d) *PROCEEDS.*—*Amounts collected as fees under this*
 11 *section shall be available for expenditure without further*
 12 *appropriation and shall be distributed and used, without*
 13 *fiscal year limitation, in accordance with the formula and*
 14 *purposes established for the Recreational Fee Demonstra-*
 15 *tion Program under section 315 of Public Law 104–134.*

16 (e) *PENALTY.*—*A person convicted of violating any*
 17 *regulation issued under subsection (a) shall be fined in ac-*
 18 *cordance with title 18, United States Code, or imprisoned*
 19 *for not more than 6 months, or both, and shall be ordered*
 20 *to pay all costs of the proceedings.*

21 (f) *EFFECTIVE DATE.*—*This section and the regula-*
 22 *tions issued under this section shall become effective 180*
 23 *days after the date of the enactment of this title, except that*
 24 *this subsection and the authority of the Secretary to issue*

1 *regulations under this section shall be effective on the date*
 2 *of the enactment of this title.*

3 ***TITLE XV—BANDELIER NA-***
 4 ***TIONAL MONUMENT ADDI-***
 5 ***TION***

6 ***SEC. 1501. SHORT TITLE.***

7 *This title may be cited as the “Bandelier National*
 8 *Monument Administrative Improvement and Watershed*
 9 *Protection Act of 1998”.*

10 ***SEC. 1502. FINDINGS AND PURPOSES.***

11 *(a) FINDINGS.—Congress finds that:*

12 *(1) Bandelier National Monument (hereinafter,*
 13 *the Monument) was established by Presidential proc-*
 14 *lamation on February 11, 1916, to preserve the ar-*
 15 *cheological resources of a “vanished people, with as*
 16 *much land as may be necessary for the proper protec-*
 17 *tion thereof. . .” (No. 1322; 39 Stat. 1746).*

18 *(2) At various times since its establishment, the*
 19 *Congress and the President have adjusted the Monu-*
 20 *ment’s boundaries and purpose to further preserva-*
 21 *tion of archeological and natural resources within the*
 22 *Monument.*

23 *(A) On February 25, 1932, the Otowi Sec-*
 24 *tion of the Santa Fe National Forest (some 4,699*
 25 *acres of land) was transferred to the Monument*

1 *from the Santa Fe National Forest (Presidential*
2 *Proclamation No. 1191; 17 Stat. 2503).*

3 *(B) In December of 1959, 3,600 acres of*
4 *Frijoles Mesa were transferred to the National*
5 *Park Service from the Atomic Energy Committee*
6 *(hereinafter, AEC) and subsequently added to the*
7 *Monument on January 9, 1991, because of*
8 *“pueblo-type archeological ruins germane to*
9 *those in the monument” (Presidential Proclama-*
10 *tion No. 3388).*

11 *(C) On May 27, 1963, Upper Canyon,*
12 *2,882 acres of land previously administered by*
13 *the AEC, was added to the Monument to preserve*
14 *“their unusual scenic character together with*
15 *geologic and topographic features, the preserva-*
16 *tion of which would implement the purposes” of*
17 *the Monument (Presidential Proclamation No.*
18 *3539).*

19 *(D) In 1976, concerned about upstream*
20 *land management activities that could result in*
21 *flooding and erosion in the Monument, Congress*
22 *included the headwaters of the Rito de los*
23 *Frijoles and the Cañada de Cochiti Grant (a*
24 *total of 7,310 acres) within the Monument’s*
25 *boundaries (Public Law 94–578; 90 Stat. 2732).*

1 (E) In 1976, Congress created the Bandelier
2 Wilderness, a 23,267 acres area that covers over
3 70 percent of the Monument.

4 (3) The Monument still has potential threats
5 from flooding, erosion, and water quality deteriora-
6 tion because of the mixed ownership of the upper wa-
7 tersheds, along its western border, particularly in
8 Alamo Canyon.

9 (b) PURPOSE.—The purpose of this title is to modify
10 the boundary of the Monument to allow for acquisition and
11 enhanced protection of the lands within the Monument's
12 upper watershed.

13 **SEC. 1503. BOUNDARY MODIFICATION.**

14 Effective on the date of enactment of this title, the
15 boundaries of the Monument shall be modified to include
16 approximately 935 acres of land comprised of the Elk
17 Meadows subdivision, the Gardner parcel, the Clark parcel,
18 and the Baca Land & Cattle Co. lands within the Upper
19 Alamo watershed as depicted on the National Park Service
20 map entitled "Proposed Boundary Expansion Map
21 Bandlier National Monument" dated July, 1997. Such map
22 shall be on file and available for public inspection in the
23 offices of the Director of the National Park Service, Depart-
24 ment of the Interior.

1 **SEC. 1504. LAND ACQUISITION.**

2 (a) *IN GENERAL.*—*Except as provided in subsections*
3 *(b) and (c), the Secretary of the Interior is authorized to*
4 *acquire lands and interests therein within the boundaries*
5 *of the area added to the Monument by this title by donation,*
6 *purchase with donated or appropriated funds, transfer with*
7 *another Federal agency, or exchange: Provided, That no*
8 *lands or interests therein may be acquired except with the*
9 *consent of the owner thereof.*

10 (b) *STATE AND LOCAL LANDS.*—*Lands or interests*
11 *therein owned by the State of New Mexico or a political*
12 *subdivision thereof may only be acquired by donation or*
13 *exchange.*

14 (c) *ACQUISITION OF LESS THAN FEE INTERESTS IN*
15 *LAND.*—*The Secretary may acquire less than fee interests*
16 *in land only if the Secretary determines that such less than*
17 *fee acquisition will adequately protect the Monument from*
18 *flooding, erosion, and degradation of its drainage waters.*

19 **SEC. 1505. ADMINISTRATION.**

20 *The Secretary of the Interior, acting through the Direc-*
21 *tor of the National Park Service, shall manage the national*
22 *Monument, including lands added to the Monument by this*
23 *title, in accordance with this title and the provisions of law*
24 *generally applicable to units of National Park System, in-*
25 *cluding the Act of August 25, 1916, an Act to establish a*
26 *National Park Service (39 Stat. 535; 16 U.S.C. 1, 2–4),*

1 *and such specific legislation as heretofore has been enacted*
 2 *regarding the Monument.*

3 **SEC. 1506. AUTHORIZATION OF APPROPRIATIONS.**

4 *There is authorized to be appropriated such sums as*
 5 *may be necessary to carry out the purpose of this title.*

6 **TITLE XVI—MISCELLANEOUS**
 7 **TERRITORIES PROVISIONS**

8 **SEC. 1601. CLARIFICATION OF ALLOTMENT FOR TERRI-**
 9 **TORIES.**

10 *Section 901(a)(2) of the Omnibus Crime Control and*
 11 *Safe Streets Act of 1968 (42 U.S.C. 3791(a)(2)) is amended*
 12 *to read as follows:*

13 *“(2) ‘State’ means any State of the United*
 14 *States, the District of Columbia, the Commonwealth*
 15 *of Puerto Rico, the Virgin Islands, American Samoa,*
 16 *Guam, and the Commonwealth of the Northern Mari-*
 17 *ana Islands;”.*

18 **SEC. 1602. ELIGIBILITY FOR HOUSING ASSISTANCE.**

19 *(a) Section 214(a) of the Housing Community Devel-*
 20 *opment Act of 1980 (42 U.S.C. 1436a(a)) is amended—*

21 *(1) by striking “or” at the end of paragraph (5);*

22 *(2) by striking the period at the end of para-*
 23 *graph (6) and inserting “; or”; and*

24 *(3) by adding at the end the following new para-*
 25 *graph:*

1 “(7) an alien who is lawfully resident in the
 2 United States and its territories and possessions
 3 under section 141 of the Compacts of Free Association
 4 between the Government of the United States and the
 5 Governments of the Marshall Islands, the Federated
 6 States of Micronesia (48 U.S.C. 1901 note) and Palau
 7 (48 U.S.C. 1931 note) while the applicable section is
 8 in effect: Provided, That, within Guam and the Com-
 9 monwealth of the Northern Mariana Islands any such
 10 alien shall not be entitled to a preference in receiving
 11 assistance under this Act over any United States citi-
 12 zen or national resident therein who is otherwise eli-
 13 gible for such assistance.”.

14 **TITLE XVII—MISCELLANEOUS**
 15 **NEW MEXICO LAND TRANSFERS**

16 **SEC. 1701. OLD COYOTE ADMINISTRATIVE SITE.**

17 (a) CONVEYANCE OF PROPERTY.—Not later than one
 18 year after the date of enactment of this section, the Sec-
 19 retary of the Interior (herein “the Secretary”) shall convey
 20 to the County of Rio Arriba, New Mexico (herein “the Coun-
 21 ty”), subject to the terms and conditions stated in subsection
 22 (b), all right, title, and interest of the United States in and
 23 to the land (including all improvements on the land) known
 24 as the “Old Coyote Administrative Site” located approxi-
 25 mately $\frac{1}{2}$ mile east of the Village of Coyote, New Mexico,

1 on State Road 96, comprising one tract of 130.27 acres (as
 2 described in Public Land Order 3730), and one tract of
 3 276.76 acres (as described in Executive Order 4599).

4 (b) *TERM AND CONDITIONS.*—

5 (1) *Consideration for the conveyance described in*
 6 *subsection (a) shall be—*

7 (A) *an amount that is consistent with the*
 8 *special pricing program for governmental enti-*
 9 *ties under the Recreation and Public Purposes*
 10 *Act; and*

11 (B) *an agreement between the Secretary*
 12 *and the County indemnifying the Government of*
 13 *the United States from all liability of the Gov-*
 14 *ernment that arises from the property.*

15 (2) *The lands conveyed by this section shall be*
 16 *used for public purposes. If such lands cease to be*
 17 *used for public purposes, at the option of the United*
 18 *States, such lands will revert to the United States.*

19 (c) *LAND WITHDRAWALS.*—*Land withdrawals under*
 20 *Public Land Order 3730 and Executive Order 4599 as ex-*
 21 *tended in the Federal Register on May 25, 1989 (54 FR*
 22 *22629) shall be revoked simultaneous with the conveyance*
 23 *of the property under subsection (a).*

1 **SEC. 1702. OLD JICARILLA ADMINISTRATIVE SITE.**

2 (a) *CONVEYANCE OF PROPERTY.*—Not later than one
 3 year after the date of enactment of this section, the Secretar-
 4 ies of Agriculture and the Interior (herein “the Secretar-
 5 ies”) shall convey to San Juan College, in Farmington, New
 6 Mexico, subject to the terms and conditions under subsection
 7 (c), all right, title, and interest of the United States in and
 8 to a parcel of real property (including any improvements
 9 on the land) consisting of approximately 10 acres known
 10 as the “Old Jicarilla Site” located in San Juan County,
 11 New Mexico (T29N; R5W; portions of Sections 29 and 30).

12 (b) *DESCRIPTION OF PROPERTY.*—The exact acreage
 13 and legal description of the real property conveyed under
 14 subsection (a) shall be determined by a survey satisfactory
 15 to the Secretaries and the President of San Juan College.
 16 The cost of the survey shall be borne by San Juan College.

17 (c) *TERMS AND CONDITIONS.*—

18 (1) *Notwithstanding exceptions of application*
 19 *under the Recreation and Public Purposes Act (43*
 20 *U.S.C. 869(c)), consideration for the conveyance de-*
 21 *scribed in subsection (a) shall be—*

22 (A) *an amount that is consistent with the*
 23 *Bureau of Land Management special pricing*
 24 *program for Governmental entities under the*
 25 *Recreation and Public Purposes Act; and*

1 (B) an agreement between the Secretaries
2 and San Juan College indemnifying the Govern-
3 ment of the United States from all liability of
4 the Government that arises from the property.

5 (2) The lands conveyed by this section shall be
6 used for educational and recreational purposes. If
7 such lands cease to be used for such purposes, at the
8 option of the United States, such lands will revert to
9 the United States.

10 (d) LAND WITHDRAWALS.—Public Land Order 3443,
11 only insofar as it pertains to lands described in subsections
12 (a) and (b), shall be revoked simultaneous with the convey-
13 ance of the property under subsection (a).

Attest:

Secretary.

105TH CONGRESS
2^D SESSION

S. 2117

**SENATE AMENDMENTS TO
HOUSE AMENDMENT**

S 2117 EAS—2
S 2117 EAS—3
S 2117 EAS—4
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